

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

*IN RE PORK ANTITRUST LITIGATION*

This Document Relates To:

*All Actions, including:*

*Winn-Dixie Stores, Inc. v. Agri Stats, Inc.  
et al., No. 19-cv-01578-JRT-HB*

Case No. 0:18-cv-01776-JRT-HB

**ALL CLASS PLAINTIFFS'  
RESPONSE TO WINN-DIXIE  
STORES, INC. LETTER TO JUDGE  
BOWBEER, ECF NO. 470**

Dear Judge Bowbeer:

We write on behalf of the Direct Purchaser Plaintiffs, the Commercial and Institutional Indirect Purchaser Plaintiffs, and the Consumer Indirect Purchaser Plaintiffs (“All Class Plaintiffs” or “Class Plaintiffs”) regarding Winn-Dixie Stores, Inc.’s and Bi-Lo Holdings, LLC’s (“Winn-Dixie”) Letter, ECF No. 470.

The Court has already ordered separate briefing on the motions to dismiss. *See* ECF No. 424. In the order, the Court also provided a common briefing schedule for all plaintiffs’ opposition briefs, including Winn-Dixie’s, to be filed by February 21, 2020. Winn-Dixie’s Letter is the second time Winn-Dixie seeks modification of the Court’s briefing schedule. Class Plaintiffs have been operating under the Court’s order, and were contacted by the Direct Action Plaintiffs (including Winn-Dixie) for the first time last week about the requests currently highlighted in Winn-Dixie’s letter. Bringing Winn-Dixie into Class Plaintiffs’ opposition briefing at this late stage would prejudice our ability to complete and file it on a timely basis.

Class Plaintiffs therefore oppose Winn-Dixie's request to modify the Court's order regarding filing joint briefs. We believe the Direct Action Plaintiffs should file their own opposition brief, as previously ordered. If the Court is inclined to provide relief to Winn-Dixie, Class Plaintiffs respectfully request that joint briefing not be required.

Dated: February 14, 2020

Respectfully submitted,

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